

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

IN RE:

Case No.: 18-bk-00630

Chapter 7

JASON ROY COLLINS,

Joint Debtors.

**DEBTOR'S OBJECTION
TO TRUSTEE'S MOTION FOR DETERMINATION
THAT PERSONAL PROPERTY (2016 TOYOTA HIGHLANDER)
IS OF CONSEQUENTIAL VALUE OR BENEFIT TO THE ESTATE [DOC. NO. 19]**

COMES NOW, the Debtor, Jason Roy Collins, by and through undersigned counsel and objects to Trustee's Motion For Determination That Personal Property (2016 Toyota Highlander) Is Of Consequential Value Or Benefit To The Estate [Doc. No. 19], and states as follows:

1. As communicated to the Trustee at the 341 Meeting of Creditors, the Debtor and his spouse traded in the 2016 Toyota Highlander a short time prior to the filing of the bankruptcy, therefore the 2016 Toyota Highlander was not a part of the bankruptcy estate. This fact is also reflected in the Amended Schedules filed by the Debtor on May 14, 2018, May 10, 2018 and April 11, 2018.¹
2. Trustee's motion should be denied because the estate does not own any 2016 Toyota Highlander.

¹ There was confusion at the Debtor's counsel's office by the different Toyota vehicles and staff mistakenly failed to correct the erroneous reference to the Toyota Tundra as being the Toyota Highlander and this mistake was not caught by either Debtor or Debtors counsel until May 15th. The mistake and confusion was in no way intentional or caused by Debtor individually.

3. To the extent Trustee seeks in his motion to impact any of the Debtor's family's vehicles, the Debtor wishes to retain and exercise all rights in relation thereto pursuant to the U.S. Bankruptcy Code.
4. Debtor requires the ongoing use of the vehicles currently owned or leased by him and his non-filing wife for personal and/or household and/or income purposes.
5. Debtor reserves the right to amend or supplement this objection at any time prior to the Hearing.
6. Debtor requests a hearing on the Motion.

WHEREFORE, Debtor objects to the relief requested in Trustee's Motion, requests that the honorable court grant a hearing thereon and deny the relief requested therein and grant all other and appropriate relief under the circumstances including awarding Debtor's reasonable attorney fees and costs.

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 15th day of May, 2018, I electronically filed Notice with the Clerk of Court using the CM/ECF system which will send a notice of electronic filing to all CM/ECF participants listed on the attached matrix, and a true and correct copy of the foregoing was mailed to the non-CM/ECF interested participants as follows: none.

/s/ Undine C. George

UNDINE C. GEORGE, ESQUIRE

ANASTASIA LAW, P.L.

107 A 11th Street

St. Augustine, FL 32080

Tel: (904) 236-6243

FL Bar #16872

undine@anastasiaLaw.net

admin@anastasiaLaw.net

Label Matrix for local noticing
113A-3
Case 3:18-bk-00630-JAF
Middle District of Florida
Jacksonville
Tue May 15 10:51:38 EDT 2018

Gordon P. Jones +
P O Box 600459
Jacksonville, FL 32260-0459

United States Trustee - JAX 13/7 +
Office of the United States Trustee
George C Young Federal Building
400 West Washington Street, Suite 1100
Orlando, FL 32801-2210

Bradley Halberstadt +
Stewart Zlimen & Jungers, Ltd,
2860 Patton Road
Roseville, MN 55113-1100

Eugene H Johnson +
Johnson Law Firm, P.A.
100 N. Laura Street, Suite 701
Jacksonville, FL 32202-3673

Undine C George +
Anastasia Law, PL
107 A 11th St.
St. Augustine, FL 32080-6356

Jesse R Cloyd +
Tripp Scott PA
110 SE Sixth Street, Suite 1500
Fort Lauderdale, FL 33301-5039

Note: Entries with a '+' at the end of the
name have an email address on file in CMECF

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(u)Jerry A. Funk
Jacksonville

End of Label Matrix	
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Bypassed recipients	1
Total	8